

CAUSE NO. 2017-08835

KRYSTAL BERRY
Plaintiff

V.

ALBIN GOLLA
Defendant

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

334TH JUDICIAL DISTRICT

AFFIDAVIT OF DR. RYAN CAHILL

BEFORE ME, the undersigned notary public, on this day personally appeared DR. RYAN CAHILL, who, being by me duly sworn on oath, deposed and said the following:

“My name is Dr. Ryan Cahill. I am over 18 years of age, have never been convicted of any offense involving moral turpitude, and am fully competent to make this affidavit. I have personal knowledge of the facts and matters stated in this Affidavit and they are true and correct.

“I am a licensed physician in the State of New York, and have been treating Brother Golla, and I am knowledgeable about this current health condition and abilities.

“I graduated from Rochester Institute of Technology in 1995 with a bachelor of science degree in biology. I graduated from N Y College of Osteopathic Medicine in 1999 with a doctorate in osteopathic medicine. I served as the chief resident during my family practice residency from 2000-2002 at the Good Samaritan Hospital and Medical Center. I am board certified in family medicine and board eligible in geriatric medicine. I have hospital privileges with Good Samaritan Hospital and Medical Center. I also have rehabilitation/nursing home privileges with Maria Regina Residence, East Neck Nursing Rehabilitation and Dialysis Center. I currently operate a private practice as well as serve as the medical director of Maria Regina Residence. Maria Regina Residence is a nursing and rehabilitation facility located in Brentwood, New York.

“Brother Golla was born on November 11, 1927 and is 89 years old. He is currently a patient at Maria Regina Residence. I have been Brother Golla’s primary treating physician since his admission to Maria Regina Residence on or about September 25, 2017.

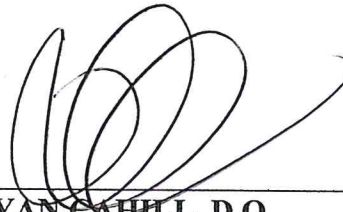
“Brother Golla is receiving treatment for various health conditions including congestive heart failure and extensive urine retention. As a result of his health conditions, Brother Golla has physical and mental conditions that would make travel to Houston, Texas for a deposition extremely detrimental to his overall

health. In my opinion, Brother Golla is not physically able to travel on an airplane or travel any extended distance by car, and any attempt to do would most likely exacerbate current conditions or cause additional health complications for him.

“In addition, Brother Golla’s current mental and cognitive condition as a result of his current health conditions has put him in state of frequent confusion. From my observation of Brother Golla, he shifts between moments of clarity to moments of mental confusion and frustration. In my opinion, he does not at this time have sufficient mental capacity to answer legal or deposition questions accurately or truthfully on any consistent or regular basis. In my opinion, answers given at such a deposition would not be trustworthy. Further, I believe that subjecting Brother Golla to a legal deposition in his current physical and mental situation would be detrimental to his overall health condition. He simply does not have the physical or mental ability to be an active participant in a legal court proceeding or deposition.

“Within my medical knowledge, experience, and treatment of Brother Golla, it is my expert opinion that Brother Golla is unable to physically travel to Houston, Texas for any reason, and that he does not at this time have sufficient mental ability to answer legal questions truthfully on any consistent basis.


Further Affiant sayeth not.



DR. RYAN CAHILL, D.O.

SWORN AND SUBSCRIBED before me this 19 day of October, 2017.

CATHERINE CRISCUOLA
NOTARY PUBLIC-STATE OF NEW YORK
No. 02FA6094512
Qualified in Nassau County
My Commission Expires November 10, 2018


NOTARY PUBLIC IN AND FOR
THE STATE OF NEW YORK